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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/611,793	07/07/2000	Dmitri Soloviev	ADV2-D60	6856

7590 08/27/2004

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EXAMINER

SHAAWAT, MUSSA

ART UNIT	PAPER NUMBER
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2128

DATE MAILED: 08/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/611,793	Applicant(s) SOLOVIEV, DMITRI	
	Examiner Mussa A Shaawat	Art Unit 2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to application # 09/611,793 filed on July 07, 2000. Claims 1-15 are presented for examination. Claims 1-5 are a system for device communication, claims 6-10 are a method for device communication, and claims 11-15 are an apparatus for device communication.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Fig. 5 character "12". Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Page 8 line 11, character "18". Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement-drawing sheet should include all of the figures appearing on the immediate prior version of the

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sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 11, and 13-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al. US Patent No. (6,757,869) referred to hereinafter as Li.

As to claim 1, Li teaches an improved system for device communications, comprising: at least one computer, see Li (col.3 lines 47-49); a device emulation in communication with said computer, see Li (col.4 lines 5-10, col.6 lines 10-25); a computer emulation in communication with said device emulation, see Li (col.2 lines 25-35, col.7 lines 30-45, and col.9 lines 1-40); and a remote device in communication with said computer emulation, see Li (col.2 lines 25-35, col.4 lines 5-10).

As to claim 2, Li teaches a system of Claim 1, wherein said computer emulation is presented to said device by a device connected remoting system, said device connected remoting

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system in communication with at least one computer connected remoting system; and wherein said device emulation is presented to said computer by said computer connected remoting system, see Li (col.2 lines 25-35, col.7 lines 30-45, col.9 lines 1-40, and col.5 lines 55-67).

As to claim 3, Li teaches a system of Claim 2, wherein said remoting systems further comprise: data reading means for reading data transmitted to said remoting system by said remote device or said computer; data grouping means for grouping said read data into groups; data packaging means for packaging said groups; package transmitting means for transmitting said packaged data to another said remoting system; and package receiving means for receiving said packages transmitted by other said remoting systems, see Li (col.6 lines 10-67, col.8 lines 1-67).

As to claim 4, Li teaches a system of Claim 3, wherein said remoting systems further comprise processing means for processing said packaged data, see Li (col.7 lines 33-67, col.8 1-67).

As to claim 5, Li teaches a system of Claim 4, wherein said remoting systems are in communication with each other over a wide area network communication system, see Li (col.3 lines 58-67, col.4 lines 1-5).

As to claim 6, Li teaches a improved method for a computer communicating with a remote device, comprising the steps of: the computer communicating with a device emulation, see Li (col.4 lines 5-10, col.6 lines 10-25); said device emulation communicating with a computer emulation, see Li (col.2 lines 25-35, col.7 lines 30-45, and col.9 lines 1-40); and the remote device communicating with said computer emulation, see Li (col.2 lines 25-35, col.4 lines 5-10).

As to claim 7, Li teaches a method of Claim 6, wherein said computer communicating step comprises said computer communicating with a device emulation, said device emulation presented by a computer connected remoting system, see Li (col.2 lines 25-35, col.7 lines 30-45, col.9 lines 1-40, and col.5 lines 55-67).

As to claim 8, Li teaches a method of Claim 7, wherein said remote device communicating step comprises said remote device communicating with a computer emulation, said computer emulation presented by a device connected remoting system, see Li (col.2 lines 25-35, col.7 lines 30-45, col.9 lines 1-40, and col.5 lines 55-67).

As to claim 9, Li teaches a method of Claim 8, wherein said device emulation communicating with said computer emulation step comprises: said device connected remoting system grouping, packaging and transmitting data to said computer connected remoting system; and said computer connected remoting system receiving said grouped, packaged and transmitted data and responsively processing and transmitting said data to said device emulation, see Li (col.6 lines 10-67, col.8 lines 1-67).

As to claim 11, Li teaches a device for improving remote interaction between at least one computer and an electronic device, comprising: means for communicating with said at least one computer, see Li (col.4 lines 5-10, col.6 lines 10-25); means for communicating with said electronic device, see Li (col.2 lines 25-35, col.7 lines 30-45, and col.9 lines 1-40); and computer emulation means for emulating a said computer's communications with the electronic device, said computer emulation means in communication with said electronic device, see Li (col.2 lines 25-35, col.7 lines 30-45, col.9 lines 1-40, and col.5 lines 55-67).

As to claim 13, Li teaches a device of Claim 12, further comprising: data reading means for reading data transmitted to said device by said electronic device; data grouping means for grouping said read data into groups; data packaging means for packaging said groups; package transmitting means for transmitting said packaged data to another said device; and package receiving means for receiving said packages transmitted by other said devices, see Li (col.6 lines 10-67, col.8 lines 1-67).

As to claim 14, Li teaches a device of Claim 13, wherein; said data packaging means comprises compressing said groups; and said data packaging means comprises encrypting said groups, see Li (col.6 lines 10-67, col.8 lines 1-67).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 10, 12 and 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al. US Patent No. (6,757,869) referred to hereinafter as Li in view of Cucchiara US Patent No. (6,546,424) referred to hereinafter as Cucchiara.

6. As to claim 10, Li teaches a method of data package communication between devices, see Li (col.6 lines 10-67, col.8 lines 1-67, and col.9 lines 20-67). Though Li teaches transmitting data packages back and forth between devices, he does not expressly teach the quality of the communications between devices.

7. Cucchiara, teaches the quality of service between communication devices, see Cucchiara (col.1 lines 48-57, col.3 lines 20-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the Li and the Cucchiara to create an improved method for communication between devices because when each event is time-stamped there exist a metric by which the priority of each network frame can be measured and the latency in the message transport system can discriminate between time critical data frames and non critical data frames, thus making the system more efficient and able to prioritize which frames need to be forwarded quickly.

8. As to claim 12, Li teaches means to transmit data between a remoting system and a remoting device or computer, see Li (col.6 lines 10-67, col.8 lines 1-67). Though Li teaches transmitting messages from one device to another, he does not expressly teach device resident driver set means, defined by non-time-dependent responses, time-dependent responses and time-dependent commands, said time-dependent commands of the type conventionally residing in a computer resident driver set means.

Cucchiara teaches device resident driver set means, defined by non-time-dependent responses, time-dependent responses and time-dependent commands, said time-dependent commands of the type conventionally residing in a computer resident driver set means, see Cucchiara (abstract, col.2 lines 28-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the Li and the Cucchiara to create an improved method for communication between devices because when each event is time-stamped there exist a metric by which the priority of each network frame can be measured and the latency in the message transport system can discriminate between time critical data

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frames and non critical data frames, thus making the system more efficient and able to prioritize which frames need to be forwarded quickly.

9. Claim 15, contain the same limitation of claim 10, therefore it is rejected based on the same rational, supra.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Willis, Jr. et al. US Patent No. (6,738,815) Systems and methods for utilizing a communications network for providing mobile users access to legacy systems.
- Pazy US Patent No. (6,614,792) Proxy MPC for providing MPOA services to legacy lane clients in an asynchronous transfer mode network.
- Gresham US Patent No. (6,741,558) method and apparatus for event detection in a switching system.

Communications

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mussa A Shaawat whose telephone number is (703) 605-1372.

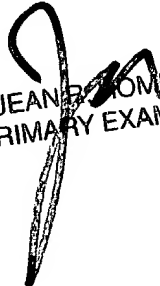
The examiner can normally be reached on Monday-Friday (8:30am to 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean R Homere can be reached on (703) 308-6647. The fax phone number for the organization where this application or proceeding is assigned is (703)-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mussa Shaawat
Examiner
August 12, 2004


JEAN ROMERE
PRIMARY EXAMINER